



1806 J IFW \$

Jason R. Jones
Registered Patent Attorney
jones@tnw.com

August 1, 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL OF SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: U.S. Patent Application No. 10/680,556 filed October 6, 2003
First Named Inventor: Wayne G. Jessop
Title: **MEDICAL IMAGING MARKER**
Group Art Unit: 3737
Attorney Docket No.: 01255-21246.NP

Sir/Madam:

Transmitted herewith for filing and pursuant to 37 C.F.R. § 1.56 and 1.97 is a Supplemental Information Disclosure Statement. Enclosed also are the following designated documents, as required under 37 C.F.R. § 1.97 and 1.98:

- ☒ Form **PTO/SB/08A AND PTO/SB/08B** list of 33 references submitted for consideration.
- ☒ Legible copies of the listed non-patent documents, unpublished U.S. applications and foreign documents or their relevant portions are included.
- ☒ All English translations of each non-English reference, if any, within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) (see 37 C.F.R. § 1.98(c)).

The following are included within the Information Disclosure Statement if applicable and as required under 37 C.F.R. § 1.98:

- ☐ Concise explanation of relevance of each reference not in English and unaccompanied by an English translation.

08/16/2007 SDENB083 00000000 10680556
01 10 1950 100.00 0P

www.tnw.com

8180 South 700 East • Suite 350 • Sandy, Utah 84070-0562 • 801.566.6633 • f. 801.566.0750 • patlaw@tnw.com | U.S. Mailing Address: P.O. Box 1219 • Sandy, Utah 84091-1219

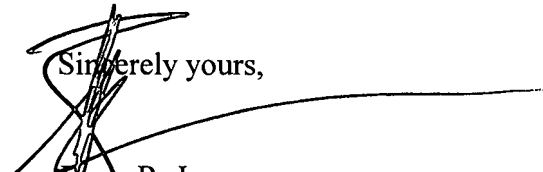
The Team Approach to Premier Performance®

- ☐ Statement that certain listed references not enclosed are substantially cumulative of an enclosed reference.
- ☐ Statement that certain listed references not enclosed were previously cited by or submitted to the Office in prior application no. _____, filed on _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120.

In order to secure consideration of the items designated above, one or more of the following, if required, is also enclosed:

- ☐ Statement under 37 C.F.R. § 1.97(e)(1) or (2).
- ☒ Check No. 23161, which includes the amount of \$180.00 (amount in §1.17(p)) constituting the submission fee set forth in 37 C.F.R. § 1.17(p).

In the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that the Statement meets the requirements of 37 C.F.R. § 1.97(e), or in any other event remediable by a fee, please credit any over payment or charge any additional fees to Deposit Account No. 20-0100 of the undersigned.

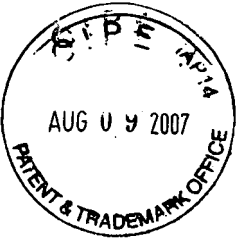
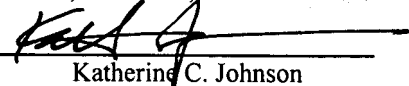

Sincerely yours,
Jason R. Jones
Attorney for Applicant
Registration No. 51,008

THORPE NORTH & WESTERN, LLP
Customer No. 20,551
P.O. Box 1219
Sandy, Utah 84091-1219
Telephone: (801) 566-6633

JJ/kcj

52067

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

ART UNIT: 3737		<u>CERTIFICATE OF MAILING</u> <u>UNDER 37 C.F.R. § 1.8</u>
EXAMINER: James M. Kish		DATE OF DEPOSIT: <u>August 7, 2007</u>
FIRST NAMED INVENTOR: Wayne G. Jessop		I hereby certify that this paper or fee (along with any paper or fee referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
SERIAL NO.: 10/680,556		
FILED: 10/6/2003		Katherine C. Johnson
CONFRM. NO.: 4152		
FOR: MEDICAL IMAGING MARKER		
DOCKET NO.: 01255-21246.NP		

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir/Madam:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form **PTO/SB/08A** and **PTO/SB/08B** which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). Applicant respectfully submits that this Information Disclosure statement is filed pursuant to:

- ☐ 37 C.F.R. § 1.97(b)(1), (3) or (4), within three months of the filing date of the application or request for RCE, or before a first office action on the merits, whichever occurs last;
- ☒ 37 C.F.R. § 1.97(c), after a first office action on the merits, but before a Final Office Action or a Notice of Allowance, whichever occurs first, and is accompanied by the fee set forth in 37 C.F.R. § 1.17(p); or

☐ 37 C.F.R. § 1.97(d), after a Final Office Action or Notice of Allowance, whichever occurs first, but on or before payment of the issue fee, and is accompanied by both 1) a statement in accordance with 37 C.F.R. § 1.97(e), and 2) the fee set forth in 37 C.F.R. § 1.17(p).

While no representation is made that any of these references may be “prior art” within the meaning of that term in accordance with 37 C.F.R. §§ 102 or 103, the enclosed list of references is disclosed so as to comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the references listed, together with any other references which may have been previously submitted or listed, are the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

☒ A legible copy of each of the listed non-patent literature, unpublished U.S. applications and foreign documents or their relevant portions is enclosed.

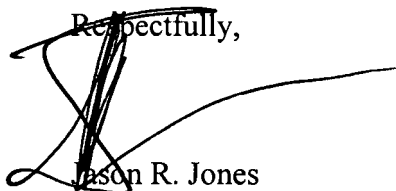
☐ Copies of the references listed in the accompanying Form PTO/SB/08A and PTO/SB/08B are NOT enclosed because, under 37 C.F.R. § 1.98.(d), they were previously cited by or submitted to the Office in application number _____, which is relied upon for an earlier filing date under 37 C.F.R. § 1.20.

For all listed references that are not either in the English language, or accompanied by a translation into English, a concise explanation of relevance as required under 37 C.F.R. § 1.98(a)(3) is enclosed attached to each.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or to credit any overpayment to Deposit Account No. 20-0100.

Dated August 1, 2007.

Respectfully,

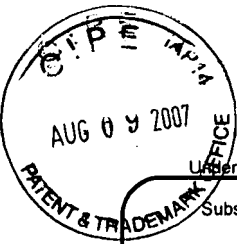
A handwritten signature in black ink, appearing to be "Jason R. Jones", written over the word "Respectfully,".

Jason R. Jones
Attorney for Applicant
Registration No. 51,008

THORPE NORTH & WESTERN, LLP
Customer No. 20,551
P.O. Box 1219
Sandy, Utah 84091-1219
(801) 566-6633

JJ/kcj
Enclosures

52065



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application Number	10/680,556
Filing Date	10/6/2003
First Named Inventor	Wayne G. Jessop
Art Unit	3737
Examiner Name	James M. Kish
Attorney Docket Number	01255-21246.NP

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 2,120,064	06-07-1938	Buckley	
		US- 2,387,704	10-23-1945	McLachlan, Jr.	
		US- 2,417,497	03-18-1947	Hulslander, Sr.	
		US- 2,912,140	11-10-1959	Cole	
		US- 2,943,628	07-05-1960	Howell	
		US- 3,097,636	07-16-1963	Haynes Jr. et al.	
		US- 3,155,091	11-03-1964	Nissenbaum et al.	
		US- 3,217,705	11-16-1965	Billings	
		US- 3,270,122	08-30-1966	Binek	
		US- 3,302,634	02-07-1967	Mazellan	
		US- 3,302,637	02-07-1967	Mazellan	
		US- 3,464,415	09-02-1969	Brownlee	
		US- 3,547,121	12-15-1970	Cherry	
		US- 3,941,127	03-02-1976	Froning	
		US- 4,027,659	06-07-1977	Slingluff	
		US- 4,506,676	03-26-1985	Duska	
		US- 4,543,958	10-01-1985	Cartmell	
		US- 4,813,062	03-14-1989	Gilpatrick	
		US- 4,838,273	06-13-1989	Cartmell	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
		JP 5068678	03-23-1993	Yoshihiro et al.		

Examiner
Signature

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Application Number	10/680,556
Filing Date	10/6/2003
First Named Inventor	Wayne G. Jessop
Art Unit	3737
Examiner Name	James M. Kish
Attorney Docket Number	01255-21246.NP

[illegible][illegible]

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete if Known			
		Application Number	10/680,556		
		Filing Date	10/6/2003		
		First Named Inventor	Wayne G. Jessop		
		Art Unit	3737		
		Examiner Name	James M. Kish		
Sheet	1	of	1	Attorney Docket Number	01255-21246.NP

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		JOHNSON et al., "A Double-Junction Technique for Total Central Nervous System Irradiation with a 4-MV Accelerator", Radiology, November 1982, pp. 467-471, Vol. 145	
		KIM et al., "Radiation Tolerance of the Cervical Spinal Cord", Radiology, May 1981, pp. 473-478, Vol. 139	
		SCHAEFER et al., "Improved Control of Image Optical Density with Low-dose Digital and Conventional Radiography in Bedside Imaging", Radiology, 1989, pp. 713-716; Vol. 173	
		LEE et al., "Localization of Vertex Lesions on Cranial Computed Tomography", Radiology, Feb. 1980, pp. 539-540, Vol. 134	
		FERRUCCI et al., "CT Biopsy of Abdominal Tumors: Aids for Lesion Localization", Radiology, Dec. 1978, pp. 739-744, Vol. 129	
		HELMS et al., "Detection of Bone-Marrow Metastases Using Quantitative Computed Tomography", Radiology, Sept. 1981, pp. 745-750, Vol. 140	
		COOPER et al., "Afterloaded Mold Therapy: A New Look at a Time Honored Concept", Radiology, May 1980, pp. 523-524, Vol. 135	
		JAMES et al., "High-Resolution Dynamic Ultrasound Imaging of the Carotid Bifurcation: A Prospective Evaluation", Radiology, Sept. 1982, pp. 853-858, Vol. 144	
		SMITH et al., "Medical Brachial Fascial Compartment Syndrome: Anatomic Basis of Neuropathy after Transaxillary Arteriography", Radiology, 1989, pp. 149-154, Vol. 173	
		COHEN et al., "Evaluation of a Digital Subtraction Angiography Unit", Radiology, Aug. 1982, pp. 613-617, Vol. 144	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.
This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.